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February 5, 2019

**VIA ECF**

The Honorable Loretta A. Preska  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Re: Lopez v. Zazzle, Inc., Case No. 1:17-cv-08493-LAP

Dear Judge Preska:

We represent Defendant Shopify (USA) Inc. ("Shopify USA"), specially appearing, in the above-captioned Action. We write to request that the Court terminate Shopify USA's Motion to Dismiss the Third Amended Complaint (Dkt. No. 114) as moot in light of Shopify USA's later-filed Motion to Dismiss the Fourth Amended Complaint (Dkt. No. 228; *see also* Dkt Nos. 229-232 & Dkt No. 248), which is currently pending before the Court.

Respectfully submitted,

/s/ Zachary J. Alinder  
Zachary J. Alinder (Admitted *Pro Hac Vice*)  
SIDEMAN & BANCROFT LLP  
Attorneys *Specially Appearing* for  
Defendant SHOPIFY (USA) INC.

cc: All Counsel of Record (via ECF)  
Plaintiff Robert G. Lopez, *pro se* (via email and U.S. Mail)

9807-23888512

**CERTIFICATE OF SERVICE**

I, Zachary J. Alinder, hereby certify that, on February 5, 2019, I caused the foregoing document to be served on all counsel of record via the Court's CM/ECF system, and to Plaintiff Robert G. Lopez, *pro se*, via U.S. mail at 230 Clinton Street, Apt. #11C, New York, New York, 10002, (917) 868-1698, with a copy via email to [lesclothing@gmail.com](mailto:lesclothing@gmail.com).

Respectfully submitted,

DATED: February 6, 2019

By: /s/ Zachary J. Alinder  
Zachary J. Alinder (Admitted *Pro Hac Vice*)

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*Attorneys Specially Appearing for Defendant  
Shopify (USA) Inc.*